A REVIEW OF THE STATE OF THE ENGLISH NATION.

Thursday, February 28. 1706.

I Debated in the laſt Paper, the Injuſtice *of a Law*, to oblige the Debtor or Bankrupt-Trader, to Surrender his Books and Effects to his Creditors, or to the Commiſſioners, while at the ſame time, the Creditors *are not at all oblig'd to come in and accept of it*, and Diſcharge him.

I Preſume, the undeniable force of this Argument, prevail'd upon the Gentlemen, who have *this Law* under Conſideration *to receive a Clauſe*, to Encourage all ſuch Bankrupts, or Inſolvent Debtors, as are under the Hands of their Creditors, to make an Honeſt Surrender, of all their Effects and Eſtate, for the Uſe of their Creditors, and by obliging the Creditors *to accept* of ſuch Surrender, and Diſcharge the Creditor.

I confeſs, the reaſon of this part of the Act ſeems to me ſo plain, that it Pleads its own Cauſe, and carries its own Demonſtration along with it; but becauſe Intereſt will prompt all Men to Oppoſe, what they think Croſſes their Meaſures, and ſuch muſt ſeek for Plauſible Allegations; I have long liſten'd, for what cou'd be ſaid againſt ſo juſt, ſo Reaſonable, and ſo Chriſtian a *Proviſo* as this.

The firſt thing I hear *is Objected*, is; *Rogues will forſwear themſelves*, and make uſe of this Law, to Enrich themſelves by Depredations in Trade, upon their Honeſt Neighbours, and Eſcape out of the Hands of the Law.

This admits of a great many Turns, and Uſeful Obſervations in Anſwer.

1. So, Gentlemen, all your Cuſtom Houſe Oaths, and Oaths in every Branch of

of the Revennue, where things are tax'd *ad Valorem*, leave the Honeſt Man Expos'd to the full Duty, and the Knave that *will forſwear himſelf* comes off Cheaper.

2. So in your Aſſeſſments in the Land Tax, he that will forſwear himſelf Lives eaſie, and the Honeſt Man ſuffers the Severity of the Law.

But ſhould you take off this part of the Law, it would be follow'd by Infinite Frauds and Inconvenience, and you are forc'd to bear with the Advantage Rogues make of it, who venture to Mortgage their Conſciences, to ſave their Pockets, rather than not raiſe theſe Taxes Compleat, and ſo be forc'd to come to ſecond Aſſeſſments.

An Oath for Confirmation, is an end of the Law, and you can go no farther, than to fetter the very Soul, in the Bonds of the Law; he that will *go to the Devil a Horſeback*, will have the better of *us all here*, as he that values not his own Life, has every Honeſt Mans Life at his Mercy; but *muſt we not make Laws*, becauſe ſome will Break thro' all manner of Reſtraints?

Again, let the Difference in Number be Conſider'd, I hope the Rogues that ſhall take Advantage of this part of the Law, may be but few, and fewer afterward than at firſt, for Men are not ſo fleſh'd in ſuch Practices, as when Mints, Rules, Gaols, and Ill Company, join'd to Deſperate Extremities, may have harden'd them to it, and hereafter 'tis to be hop'd, ſuch a Door of Deliverance prompting Men, to make their Caſes known betimes, may remove great part of the Temptation, and by conſequence, the Miſchief will be but rarely found.

Add to this, all the Methods, Time, Art, and Experience, may help People to in the detecting Perjuries, and ſome Severe Clauſe for Condign Puniſhment, if Convicted; when the Conſequences appear, and two or three ſuch Fellows have been Hang'd, *or ſeverely Stigmatiz'd* for the Crime, they will not be found ſo very forward to venture, and I think Death it ſelf cannot be too Severe an Article, in Caſe of ſuch a Flagrant Crime.

But now, let us bring into this Ballance a little, the many Families of Honeſt Indigent People, that now Languiſh, under the General Calamity of the Times; I am told, I ſpeak too much within Compaſs, if I ſay, there are at this time, ten Thouſand Families of Mourning, Diſtreſs'd, Induſtrious People, that *Sigh for Deliverance*, from this one depending Clauſe.

People, that have Liv'd in Good Faſhion, born of Good Families, Well Bred, Well Taught, and are every way Qualify'd for Improvement, capable to ſerve to Enrich, and advantage to their Country, but *bound, cuff'd by the Law*, and Diſabled from helping themſelves, or their declining, and perhaps Starving Families.

People, that are Honeſt in Principle, Induſtrious in Temper, Moderate in Life and Moral in Manners, that have fall'n not by their Intemperance, Exceſſes, Extravagancies and Vices, but by the general Decays of Trade, Caſual or Rational Embarraſſments.

People, That having Liv'd in Good Reputation, ſtuft Buſineſs, large Credit, and good Figure, have fall'n by the Villany, and Frauds of *Capital Trade-Pyrates*, and who ſtand a *Memento Mori* to their Neighbours, and bid them Read that Scripture. *Let him that thinketh he ſtandeth, take heed leſt he fall.*

People, That are ſincerely willing, to make an Honeſt Surrender of their Goods and Effects, that would heartily ſtrip themſelves of all Reſerves, and be Content to Pay, as far as it would go, and before it be all waſted, and Devour'd in Languiſhing Priſons, and the Lingring Deaths of a Life, in the Rules of the *Queen's Bench*, and the *Fleet*.

Some, That have been kept Starving in Gaols, and Rules, and Places of ſhelter, till the Cruelty of Creditors, have forc'd them to Eat and Drink out the ſmall Remainder, they ſhould have been ſatisfi'd with, while they had much rather have been at Work to recover themſelves, and help ſatisfie the Cravings of their Creditors.

Some, That while lock'd up by the *Diſcording Creditors*, have had vaſt Advanta-

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get of Recovering offer'd, but have layn by, and tho' the Haven has been in view, have Shipwreck'd under the Storm, and have not been able for want of Liberty, to close with the Friendly Offers of those that would do them Good.

Innumerable are *the Variety of Cases*, under which Distress'd Families now Perish, whose Numerous Starving Families, Cry to Heaven for Aid, while the *Deaf Creditor* shows that Cruelty, he would himself Tremble to see the Effects of.

No Pen can Describe, no Words can Relate the Misery, among these Sons and Daughters of Sorrow, who, if once at Liberty, might regain by their Industry, their Station again in the World; and who by their Honesty, might revive a Practice, almost lost in *England*, of Men *Paying their Debts*, after they have been Discharg'd by Law.

I could bring here many Melancholy Instances, of Families now Starving under these Distresses, while the Bankrupt that Ruin'd them, Insults the Law, and Lives on their Childrens Bread.

What Agonies of Soul, some Miserable Creatures now suffer, who are Lock'd up *in Noisom Dungeons* without Necessaries, and which is worse, their Innocent Children Starving without——— *From which Persons*, no Payment can be expected, nor so much as a Prospect of it———How such Creditors can Answer it to God, themselves, or their Posterity, I know not!

I am told, that one of the Principal Projectors of that Bloody Law, of Perpetual Imprisonment for Debt, *for such I must call it*, lyes now in *Newgate* upon the same Act; I cannot rejoice in any Mans Calamity, let it be never so Just; but the *Retaliating Justice of Providence*, is to me one of the most plain Demonstrations of his immediate directing the Affairs of this WORLD.

MISCELLANEA.

WE are told lately by a Certain Gentleman, (that indeed has done his part to Kill her) that a Great Lady, whose Name is MODERATION, is lately Dead; I Confess, she has been in Great Danger, and the Gentlemen, whose Cause this Author Espouses, had almost Smother'd her; but at present agreeable to the late Vote in the House, She is, thro' the Blessing of God, *in a most Safe and Flourishing Condition*; and this Vote is past upon a different Foot, from the Method of some of the late Gentlemen of the Weathercock, who, when one of the Chymnies of a College was on Fire, Assembled together, and formally Voted, *the House was in no Danger*.

And this Victory I boasted of formerly, which this Gentleman is Displeas'd at, and Banters the *Review*, for saying, the Government and Parliament says the same thing with the *Review*——— Why, is this the Grievance, Sir? never be concern'd at it, the Goverument, the Queen, the Parliament, and every Honest Man in the Nation, will say as you say, when you happen TO SPEAK TRUTH but not before; *Observe that, and reverse it carefully*.

That the Author of this, has practis'd Moderation with the High Church Clergy, he offers this Gentleman, at any time to Convince him, provided he does not resolve not to be Convinc'd by Reason; and the Paragraph, which I am told he Quotes out of *the Hymn to Peace*, and which he would pervert to his *own Purpose*, is directly against him, and is a plain Proof, I would not give the World the Croud of Characters, which I could have done

done among the Clergy, becauſe I would not have their Lives be a general Scandal to the whole Profeſſion——And I refer it to the Judgment of any Impartial Reader, whether it is not plain, when the whole Paragraph is Read together, which this Unfair Arguer avoided. The Lines are as follow.

Nor let our Charity *be Cenſur'd here,*
Becauſe we Crouds of Characters forbear;
The Bead-Roll *of* whoſe Crimes *would ſhow,)*
Too Black, *for our Poſterity to know;*
And are Conceal'd in meer Compaſſion,
Not to themſelves alone, but all the Nation;
That Foreign Countries *may not ſee,*
Our Eccleſiaſtick Nudity.
And it become a New Proverbial Jeſt,
To be as Wicked as an *Engliſh* Prieſt.

If this *be not Moderation*, he ſhall in our Next have another High Church Specimen ſo particular, as ſhall force his Brethren to Steal the Review away from the Coffee-Houſes, as they did the laſt, all over the Town, that it ſhould not lye there to be Read.

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